

Via Electronic File to <http://www.fcc.gov/cgb/ecfs/>

Commission's Secretary, Office of the Secretary
Federal Communications Commission
236 Massachusetts Avenue, N.E., Suite 110
Washington, DC 20002

Jeremy Miller
Industry Analysis and Technology Division
Wireline Competition Bureau
Federal Communications Commission
445 12th Street, S.W., Room 5-B145
Washington, D.C. 20554
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Re: Comments on Request for Access to Form 477 Broadband Data: WC Docket No. 09-214 - Dated December 7, 2009

Dear FCC and Mr. Miller:

Vantage Point Solutions (VPS) and their attached clients listed in Attachment A, hereby submit comments on the Request for Access to Form 477 Broadband Data regarding whether the information should be provided to NTIA, and if it is provided, whether it should then be made public. We extend our thanks to the Federal Communications Commission for providing this opportunity to state our support of disclosure of the 477 data to NTIA.

We respectfully submit these comments in which we address the Request for Access to Form 477 Broadband Data, WC Docket No. 09-214, on November 25, 2009.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Larry Thompson", with a long horizontal flourish extending to the right.

Vantage Point Solutions
Larry Thompson, CEO

Vantage Point Solutions (VPS) and Clients Comments on Request for Access to Form 477 Broadband Data: WC Docket No. 09-214 - Dated December 7, 2009

With respect to whether the 477 data should be provided to NTIA, we fully support that this information should be released to NTIA in order to help NTIA to more rapidly make decisions regarding the Round 1 Broadband Applications and the Protests filed against some of those applications.

With the March 2009 revisions to FCC Form 477, the FCC is now requiring Form 477 data to be filed by Census Tract by all current broadband providers, under penalty of perjury, to list providers, technologies utilized, subscriber counts and established speeds. Rather than wait on incomplete mapping data from the states, NTIA and RUS should use the FCC's growing 477 database, which should greatly assist the agencies, to determine if a proposed service area is served, unserved or underserved. The FCC 477 database should provide consistent and reliable data on a Census Tract level that NTIA and RUS could use nationwide to determine if any area is unserved, underserved, or served. Such information should also be used in the protest process to substantiate applicant and incumbent claims regarding the served status of any area.

NTIA has the duty to establish the nationwide inventory map, but will need to work with each state to coordinate that all mapping is combined into one nationwide map as required by the Broadband Data Improvement Act. If NTIA starts by using the information provided on the Form 477, a quicker view of served, unserved and underserved areas will be shown, and all before full mapping data for each state can be completed.

The Round One protest process created a tremendous burden and expense for the existing broadband service providers to protect their served areas. If NTIA and RUS had the current 477 data available, they would have been able to summarily review and reject any applications that erroneously claimed that an area was un or underserved all before the public notice process began, thus streamlining the public notice response process and saving the agencies and current providers with served areas a lot of time and effort in reviewing incomplete applications.

Once released to NTIA or RUS, both agencies will be expected to protect the 477 data as confidential and proprietary information from public disclosure to the fullest extent authorized by applicable law.

Attachment A

3 Rivers Telephone Cooperative
Steve Krogue
Fairfield, MT

Alliance Communications Coop.
Don Snyders
Garretson, SD

BEK Communications
Derrick Bulawa
Steele, ND

Bloomington Telephone Co.
Mark Bahnson
Bloomington, MI

Chequamegon Communications Cooperative, Inc.
Dave Carter
Cable, WI

Communications 1 Network
Randy Yeakel
Kanawha, IA

Dakota Central Telecom
Keith Larson
Carrington, ND

Hot Springs Telephone Co.
Laurence Walchuk
Hot Springs, MT

Lehigh Valley Cooperative Telephone Assn.
Jim Suchan
Lehigh, IA

Mark Twain Rural Telephone Co.
Bill Rohde
Hurdland, MO

MTC Technologies
William Malcom
Mediapolis, IA

Northeast Missouri Rural Telephone Co.
Gary Godfrey
Green City, MO

OmniTel Communications
Ronald Laudner
Nora Springs, IA

Panora Communications Cooperative
Andrew Randol
Panora, IA

Red River Telephone
Jeff Olson
Abercrombie, ND

South Slope Cooperative Telephone Company
J.R. Brumley
North Liberty, IA

Washington County Rural Telephone Cooperative, Inc.
Charles Coon
Pekin, IN